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Attorneys for Federal Defendants Sued in their Official Capacities, the Federal Intervenor-Defendants (United States of America, National Security Agency, President George W. Bush), and the United States of America as Plaintiff against state officials

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	**No. M:06-cv-01791-VRW**
This Document Relates To: *United States v. Rabner, et al.* (07-1324); *United States v. Gaw, et al.* (07-1242); *United States v. Adams, et al.* (07-1323); *United States v. Palermino, et al.* (07-1326); *United States v. Volz, et al.* (07-1396); *Clayton, et al. v. AT&T Communications of the Southwest, Inc., et al.* (07-1187)	**STIPULATION FOR A ONE WEEK EXTENSION FOR THE UNITED STATES' AND STATE OFFICIALS' RESPONSES IN THE SCHEDULING ORDER [Dkt. 219]; AND [PROPOSED] ORDER** Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker Hearing: June 21, 2007; 2 p.m.

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RECITALS

A. On March 26, 2007, the Court entered a scheduling order directing the United States and State Officials to engage in further briefing in the above-captioned "State Cases." *See* Scheduling Order, Dkt. 219.

B. That Order directed the United States and State Officials to (i) complete any outstanding briefing in the State Cases by April 5, 2007; (ii) file consolidated briefs addressing Ninth Circuit law and other matters not previously addressed by April 26, 2007; and (iii) file responses to the other side's consolidated brief by May 27, 2007. *See id.*

C. The Court later clarified the response date for the United States and State Officials would be May 25, 2007, because May 27, 2007, is a Sunday on a holiday weekend. *See* Order, Dkt. 280.

D. Undersigned counsel for the United States has been involved in drafting each of the United States' filings in the State Cases. Undersigned counsel for the United States suffered a death in the family—his grandfather—on May 19, 2007. Being the sole direct descendant, undersigned counsel has been occupied with memorial and other arrangements, including an out-of-state service later this week.

E. In light of the foregoing, undersigned counsel requested consent from the counsel for the State Officials that the filing date of the final response briefs for both the United States and State Officials be extended by one week, from May 25, 2007 to June 1, 2007, with the brief to be filed by Noon, Pacific Time. The State Officials consented to the requested extension.

F. Aside from seeking clarification of the response date, no party has previously sought to modify the Scheduling Order [Dkt. 219]. The requested extension does not seek to alter the hearing date in these State Cases, which is now set for June 21, 2007.

STIPULATION

The United States, through its attorneys of record, and the State Officials, through their attorneys of record, hereby stipulate to the following extension of the briefing schedule and request that the Court make this stipulation an order of the Court:

1. The United States and State Officials shall e-file their responses to the opposing side's consolidated brief no later than June 1, 2007, at Noon, Pacific Time.

DATED: May 22, 2007

Respectfully Submitted,

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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, ALEXANDER K. HAAS, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from each of the other signatories listed above and below.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on May 22, 2007, in the City of Washington, District of Columbia.

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[PROPOSED] ORDER

Pursuant to the foregoing stipulation, and good cause appearing,

IT IS SO ORDERED.

Dated: May __, 2007.

____

Hon. Vaughn R. Walker
United States District Chief Judge